



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )

Yoji SAKAGAMI et al )

Application No.: 09/880,006 )

Filed: June 14, 2001 )

For: A PROMOTER DERIVED FROM )  
PHYTOSULFOKINE PRECURSOR )  
GENE )

Group Art Unit: 1638

Examiner: Unassigned

**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

**BOX: MISSING PART**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(b) dated July 17, 2001, enclosed please find:

- ☒ a Combined Declaration and Power of Attorney signed by the inventor(s) and the surcharge of ☒ \$65.00 (205) [ ] \$130.00 (105) as set forth in 37 C.F.R. § 1.16(e);
- [ ] Note that the inventor(s) identified on the currently filed Combined Declaration and Power of Attorney are different than listed on the application filing papers.
- [ ] a Request for Refund;
- ☒ a Petition for Extension of Time (Two Month);
- [ ] a verified English translation of the Application, and the \$130.00 (139) fee as set forth in 37 C.F.R. § 1.17(k);
- [ ] an Assignment document and a separate check for the \$40.00 (581) Assignment recordation fee;
- [ ] drawings for publication;
- ☒ other Transmittal Letter for Computer Readable Sequence Listing paper copy and diskette with Reply and Declaration Under 37 C.F.R. §§1.821-1.825;
- ☒ a check in the amount of \$ 65.00 for the fee due for missing parts; and

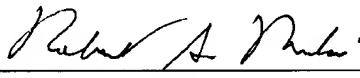
☐ charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due for missing parts.

☒ Small entity status is hereby claimed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Robert G. Mukai  
Registration No. 28,531

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: November 17, 2001



Patent  
Attorney's Docket No. 026350-058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Yoji SAKAGAMI et al

Application No.: 09/880,006

Filed: June 14, 2001

For: A PROMOTER DERIVED FROM  
PHYTOSULFOKINE PRECURSOR  
GENE

)  
)  
) Group Art Unit: 1638  
)  
) Examiner: Unassigned  
)  
) **ATTENTION: BOX SEQUENCE**  
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**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Nonprovisional Application dated July 17, 2001, enclosed please find:

- [X] A copy of the "Sequence Listing" in computer readable form in compliance with 37 C.F.R. § 1.821(b) and 1.824.
- [X] A statement that the content of the paper and computer readable copies are the same as set forth in 37 C.F.R. § 1.821(f).
- [X] Small entity status is hereby claimed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

By: Robert G. Mukai  
Robert G. Mukai  
Registration No. 28,531

Date: November 19, 2001



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*Box sequ.*

Patent  
Attorney's Docket No. 026350-058

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Yoji SAKAGAMI et al	)	Group Art Unit: 1638
	)	
Application No.: 09/880,006	)	Examiner: Unassigned
	)	
Filed: June 14, 2001	)	<b>ATTENTION: BOX SEQUENCE</b>
	)	
For: A PROMOTER DERIVED FROM	)	
PHYTOSULFOKINE PRECURSOR	)	
GENE	)	

**REPLY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated  
July 17, 2001, please amend the above-identified application as follows:

**IN THE SPECIFICATION:**

In compliance with 37 C.F.R. §1.823(a), please insert the attached paper copy of  
the "Sequence Listing" after the last page of the above-identified application to replace the  
Sequence Listing on pages 30-40.

**REMARKS**

The paper copy of the Sequence Listing for the subject application, is by this amendment, added after the last page of the application to replace the Sequence Listing identified on pages 30-40.

Favorable consideration on the merits is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Robert G. Mukai  
Robert G. Mukai  
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Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: November 19, 2001

1600  
Attorney's Docket No. 09350-058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
Yoji SAKAGAMI et al.  
Application No.: 09/880,006  
Filed: June 14, 2000

For: A PROMOTER DERIVED FROM  
PHYTOSULFOKINE PRECURSOR  
GENE



Group Art Unit: 1638  
Examiner: Unassigned

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REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Sir:

Enclosed is a copy of the Official Filing Receipt marked in red to show correction that is needed. The correction is as follows.

In the Total Claims Section, please delete "21", and insert therefore --9--.

Issuance of a corrected Official Filing Receipt is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:

  
Robert G. Mukai

Registration No. 28,531

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: November 9, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231  
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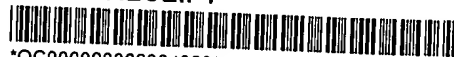
APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/880,006	06/14/2001	1638	444	026350-058	7	219	5

Robert G. Mukai  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, VA 22313-1404



CONFIRMATION NO. 4690

FILING RECEIPT



\*OC000000006304369\*

Date Mailed: 07/17/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Yoji Sakagami, Nagoya City, JAPAN;  
Heping Yang, Nagoya City, JAPAN;  
Yoshikatsu Matsubayashi, Nagoya City, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN 2000-179,826 06/15/2000

If Required, Foreign Filing License Granted 07/16/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Promoter derived from phytosulfokine precursor gene

Preliminary Class

RGM

BURNS, DOANE, SWECKER &  
MATHIS, L.L.P. RECEIVED

JUL 19 2001

IMS 7/19/01

DOCKETED

Sueji mura International Patent



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/880,006	06/14/2001	Yoji Sakagami	026350-058

CONFIRMATION NO. 4690

FORMALITIES LETTER



\*OC000000006304370\*

Robert G. Mukai  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, VA 22313-1404

Date Mailed: 07/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/20/2001 SFELEKE1 00000039 09880006

FILED UNDER 37 CFR 1.53(b)

01 FC:205

65.00 DP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**



- For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
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*A copy of this notice **MUST** be returned with the reply.*

\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE